

City of Taylorsville
Planning Commission Meeting
Minutes
Tuesday – March 8, 2005 – 7:00 P.M.
2600 West Taylorsville Blvd – Council Chambers

Attendance:

Planning Commission

Angelo Calacino, Chair
Dama Barbour
Ted Jensen
Aimee Newton
Kristie Overson
Joan Rushton-Carlson
Blaine Smith
Excused: Phil Hallstrom

Community Development Staff

Mark McGrath, Director
Michael Maloy, City Planner
Nick Norris, City Planner
Dan Udall, City Planner
Jean Gallegos, Secretary/Recorder
Amber Westenskow, Planning Intern

PUBLIC: Linda Bjork, Gwen Smith, John W. Smith, Judy Palmer, Marilyn F. Smith, Hyrum Smith, Scott Hansen, Ron Krause, Alisa Wightman, Gary Penrose, Richard Perschon, Sandra Tripp, Jack Lucas, Paul Smith, Janet Smith, Kim Christen, Theresa Christen, Clarence E. White, Neil Hathaway, Ande Anderson Lewis, John Vandertooler, D. Hacker, Clinton Michaelson, Chet Nichols, David Ahokovi, Bonnie Ebert, Morris K. Pratt, Kurt Mather, David Peterson, Paulette Hansen, Arthur Pearson, John Lowe, Tim Kehl, Dale Kehl, Joe Pearson, Harvey Wamsley.

WELCOME: Commissioner Calacino welcomed those present, explained the procedures to be followed this evening and opened the meeting at 7:00 p.m.

[19:01:29](#)

CONSENT AGENDA

1. 3H05 **Bonnie Ebert, 5529 South Cora Way - Home Occupation - Accounting Services**
(Nick Norris, City Planner)
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1.1 **Mr. Norris** oriented the Planning Commission in the pre-meeting by advising that this is a request for a Class D2 Home Occupation Conditional Use Permit to operate an accounting office from her home. As many as 8-10 customers per day would be coming to the home. The proposed hours of operation are 8:00 a.m. to 8:00 p.m., Monday through Saturday. **Mr. Norris provided findings of fact in his staff report provided to the Planning Commissioners and recommended approval subject to the following conditions:**

1.1.1 That the applicant receives approval and remains compliant with all applicable reviewing agencies.

1.1.2 That the applicant adheres to and remains compliant with Taylorsville Ordinances 13.57.050 Operational Requirements and 13.57.056 Specific Operational Requirements – Class C Home Occupation.

1.1.3 That the hours of operation are from 8:00 a.m. to 8:00 p.m., Monday through Saturday.

1.1.4 That all customer visits are made by appointment only with at least 30 minutes between appointments.

1.1.5 That the off-street parking area be kept clear and available to customers during the hours of operation.

1.2.6 That the address is clearly visible from the street. Numbers shall be at least 4 inches in height and be a different color than the color of the house.

1.2.7 Only a name plate sign, attached to the main building, which is no larger than three square feet is allowed.

1.2.8 That the conditional use permit is reviewed upon substantiated or unresolved complaint.

1.3 Applicant was present. No one asked to speak to this issue.

2. 4H05 **Miriam Van Osrand, 5250 South Huntington Road (3380 West) - Home Occupation – Child Day Care.** (Nick Norris, City Planner)

2.1. **Mr. Norris** oriented the Planning Commission in the pre-meeting by advising that this is a request for a Class D2 Home Occupation Conditional Use Permit to operate a Family Day Care from her home. Up to eight children would be attending the day care per day. The proposed hours of operation are 7:00 a.m. to 7:00 p.m., Monday through Saturday. **Mr. Norris provided findings of fact in his staff report provided to the Planning Commissioners and recommended approval subject to the following conditions:**

2.1.1 That the applicant receives approval and remains compliant with all applicable reviewing agencies.

2.1.2 That the applicant adheres to and remains compliant with Taylorsville Ordinances 13.57.050 Operational Requirements and 13.57.057 Specific Operational Requirements – Class D Home Occupation.

2.1.3 That the outdoor play area be used no earlier than 8:00 a.m.

2.1.4 That no more than 8 children, including the caregiver's own children under the age of six and not yet in full day school, attend the day care.

2.1.5 That the child drop off area be located in the driveway and that a safe means for the children to access the dwelling be provided.

2.1.6 That the day care will not detract from the residential character of the dwelling.

2.1.7 That only a name plate sign, attached to the main building and no larger than 3 square feet be allowed.

2.1.8 That the conditional use permit is reviewed upon substantiated or unresolved complaint.

2.1.9 **[Added by Motion] Hours of operation will be from 7:00 a.m. to 7:00 p.m., Monday through Saturday.**

2.3 Applicant was present. No one was present to speak to this issue.

3. 3S05 **2-Lot Residential Subdivision** – Dee Bates, 5250 South 3200 West. (Nick Norris - City Planner)

3.1 **Mr. Norris** oriented the Planning Commission in the pre-meeting by advising that the applicant has submitted an application to subdivide one lot into two lots. The property in question is approximately 0.64 acres (28,000 square feet). The applicant would like to subdivide the property into a piece that is approximately 18,000 square feet and one that is approximately 10,000 square feet. The larger lot would contain the Oakeson Floral shop, which is a legal non-conforming existing use. The smaller lot will contain a single family residential dwelling. Other than subdividing the lot, no changes will be made to the Oakeson Floral shop. This property was subdivided illegally, without City approval. The purpose of this application, in addition to his desire to construct a new home, is to make the subdivision legal. **Mr. Norris provided findings of fact in his staff report provided to the Planning Commissioners and recommended approval subject to the following conditions:**

- 3.1.1 That the applicant receives approval from all applicable agencies.
- 3.1.2 That the subdivision receives final plat approval from City Staff.
- 3.1.3 The subdivision is recorded by a means that is consistent with city requirements, including any notes that are required by the Planning Commission, with the Salt Lake County Recorder's Office.
- 3.1.4 The project receives storm drain approval from the City Engineer.
- 3.1.5 The developer bonds for any street improvements, if necessary, and pays storm drain fees before recording the subdivision.
- 3.1.6 All street improvements required by City Ordinance will also be installed to City standards. This includes all sidewalk, park strip, curb, gutter, street surface, curb ramps and tie-ins to existing improvements.
- 3.1.7 The drive approach located north of the Oakeson Floral building be removed.
- 3.1.8 The applicant plants two trees in the park street in front of the residential lot and trees spaced every 35 feet on center in the park strip in front of the commercial lot. The trees shall be of a species that is appropriate for the size of the park strip.
- 3.1.9 The proposed subdivision obtains approval from the building department on grading requirements.
- 3.1.10 Any subdivision amendments proposed after the initial recordation are reviewed and approved by the Planning Commission. The amendment must then be recorded with the Salt Lake County Recorder's Office.
- 3.2 Applicant was not present. No one asked to speak to this issue.

4. Review/Approval of Minutes for February 8, 2005.

CONSENT AGENDA MOTION: [19:03:51 Commissioner Overson](#) moved for approval of the Consent Agenda, Items 1 through 4, as presented and adding Condition #9 on Item #1, Application 4H05, to read that hours of operation will be from 7:00 a.m. to 7:00 p.m., Monday through Saturday.

SECOND: [Commissioner Newton](#)

VOTE: [Commissioner Barbour](#) – AYE
[Commissioner Newton](#) – AYE
[Commissioner Smith](#) – AYE

[Commissioner Jensen](#) – AYE
[Commissioner Overson](#) – AYE
[Commissioner Rushton-Carlson](#) – AYE

GENERAL PLAN MAP CHANGES

[19:04:55](#)

-
5. 1G05 **Richard Perschon, 4874 South Plymouth View Drive (1625 West)** –
Recommendation to the City Council to Amend the General Plan Map from
Professional Office to Medium Density Residential. (Dan Udall, City Planner)
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5.1 **Mr. McGrath** oriented on the site plan, aerial map and images. This involves a remnant parcel created by the addition of the Taylorsville-Bennion Fluoridation Treatment Plant. They are now looking to sell those properties for future development. The applicant is requesting this General Plan map change in order to build a duplex on the now vacant property. The professional office general plan designation does not allow residential units. The applicant needs medium density residential because his request is for 6.4 units per acre. According to the current General Plan, the medium density residential master plan designation allows 5-8.9 units per acre. The lot is 13,692 square feet or .31 acre. To have two units on this size of lot would require the medium density residential designation. The developer bonds for any street improvements, if necessary, and pays storm drain fees before recording the subdivision. **Mr. McGrath** commented that Staff is in favor of transitioning this parcel to blend in with the surrounding R-1-8 and R-2-8 (two-family dwellings). [19:08:21](#) The parcel is now planned for professional office

but the duplex would be an appropriate transition for this area and will not detract from the quality and character of the exiting neighborhood. **Staff recommends approval for the following reasons:**

5.1.1 The medium density residential general plan designation is a good transition designation between community commercial and low density residential and professional office and low density residential.

5.1.2 The property has the same character as the residential areas to the east and south.

5.2 **APPLICANT ADDRESS:** **Richard Perschon**. [19:10:27](#) **Mr. Perschon** advised that he has purchased the property from Taylorsville-Bennion Improvement District. That the zoning to the east is already R-2-8 which allows duplexes. He has a handicap daughter and would like to build a user-friendly structure for her to live in on one side and he and his wife would live in the other. It will be owner occupied and will be a quality built structure.

5.3 **SPEAKING:** None.

5.4 **CLOSURE OF PUBLIC HEARING AND DISCUSSION OR A MOTION.** [19:12:23](#)

5.5 **MOTION:** [19:12:41](#) **Commissioner Rushton-Carlson** - I propose a positive recommendation be made to the City Council to amend the General Plan Map from professional office to medium density residential for this site.

SECOND: **Commissioner Barbour**

DISCUSSION: **Commissioner Newton** - We should also add the reason we are recommending approval is that it is a good transition from the Taylorsville-Bennion Improvement District fluoridation building to the neighborhood. **Commissioners Rushton-Carlson and Barbour** agreed with that amendment.

VOTE: **Commissioner Barbour** – AYE

Commissioner Newton – AYE

Commissioner Smith – AYE

Commissioner Jensen – AYE

Commissioner Overson – AYE

Commissioner Rushton-Carlson - AYE

6. 2G05 **Gary Penrose (The Carpet Guy) – 6300 South – 6310 South Redwood Road**
Recommendation to the City Council to Amend the General Plan Map from Mixed Use to
Community Commercial (Michael Maloy, City Planner)

[19:14:10](#)

6.1 **Mr. Maloy** oriented on the site plan, aerial map and images. The applicant is proposing this General Plan map change on a .71 acre parcel. He is the current owner of a carpet sales and installation business located at 4973 South Redwood Road and has outgrown his currently leased facility and desires to relocate in a larger building, which he would own. To accomplish this objective, the applicant has purchased two existing residential properties, however, the parcel is located within a MD-1 Mixed Use Zone, which does not allow for this type of land use. To facilitate the desired land use, the applicant intends to file a subsequent application to amend this zoning designation to C-2, Commercial. The City of Taylorsville has been engaged in a process of drafting an update to the current General Plan, which was recommended for approval by the Planning Commission on December 14, 2004. In that draft, this property is proposed to be amended from Mixed Use to Professional Office. **Based on that decision by the Planning Commission, Staff recommends denial of this proposal.**

6.2 **APPLICANT ADDRESS:** **Gary Penrose**. [19:18:51](#). **Mr. Penrose** advised that he is the owner of G & R Carpets and is a strong supporter of Taylorsville City. He has cleaned up the area where they are presently located, however, his lease is expiring and he wishes to move to a site that he owns. He felt it did not make sense to deny his request tonight because the carpet business is low impact, with eight employees and one secretary. He advised that presently professional office space is experiencing a 60% vacancy rate. This would be a family run business and they plan to take care of it for years into the future because they wanted to keep their business in Taylorsville.

6.3 **SPEAKING:** None.

6.4 **CLOSURE OF PUBLIC HEARING AND DISCUSSION OR A MOTION.** [19:23:03](#).

6.4.1 **Commissioner Newton** commented that while she appreciates this business, she is concerned that the General Plan is driving the blue print for what is happening in the City. The Commission recently made the decision to make this particular site professional office and she was supportive of that and did not recommend approval of this General Plan change.

6.4.2 [19:24:52](#) **Commissioner Barbour** disagreed, saying that this property owner has been a part of Taylorsville for many years and that retail fits in mixed use zones all over the valley. Because there were no objections expressed to this request, she saw no reason to recommend denial.

6.4.3 [19:25:30](#) **Commissioner Smith** said that the General Plan is a good goal, however, there will be exceptions made. He felt this project would improve the area.

6.4.4 [19:26:02](#) **Commissioner Overson** advised that she has been a member of the General Plan Steering Committee from its inception and they have had several discussions regarding Redwood Road as to what is appropriate for the future. She agreed with Commissioner Newton and felt this project is contrary to the Planning Commission's recommendation made in December. She went on to say that the desire is to see office buildings along Redwood Road. It is the gateway to the City and should be consistent with what is surrounding it.

6.4.5 [19:27:07](#) **Commissioner Calacino** commented that as Planning Commissioners, members of the General Plan Steering Committee and residents, the Commission looks out for what is best for the City as a whole. The General Plan is a long range guidance tool which designates land uses to achieve a certain character and environment. For Mr. Penrose's proposal, he would need a commercial zoning and even though his would be a family owned, low impact use, the Commission must look at what that could allow in the future if Mr. Penrose or his family sold the property

- 6.5 **MOTION:** **Commissioner Newton - 19:30:32** I move that we deny Application 2G05 for the reasons that it is not consistent with the General Plan update that the Commission approved on December 14, 2004 and that the proposed land use and building architecture are not consistent with the City economic development objectives for Redwood Road in that area.
- SECOND:** **Commissioner Overson**
- DISCUSSION:** **Commissioner Jensen** commended the applicant on his wish to stay in Taylorsville and hoped that he would take advantage of another commercial area where he could continue to grow his business. [19:31:37](#)
- VOTE:** **Commissioner Barbour – NAY** **Commissioner Jensen – AYE**
Commissioner Newton – AYE **Commissioner Overson – AYE**
Commissioner Smith – NAY **Commissioner Rushton-Carlson - AYE**
- Motion passes 4 in favor, 2 opposed.**

7. 3G05 **Jack Lucas – 1276 W. 6400 S., 1286 W. 6400 S., 1290 W. 6400 S., 6615 S. 1300 W., 6647 1300 W., and 6657 S. 1300 W.** - Recommendation to the City Council to Amend the General Plan Map from Low Density Residential to High Density Residential.
(Michael Maloy, City Planner)

[19:34:28](#)

7.1 **Mr. Maloy** oriented on the site plan, aerial map and images. The applicant is proposing this change in order to facilitate a future condominium or town home development. The City of Taylorsville has been engaged in a process of drafting an update to the current General Plan, which was recommended for approval by the Planning Commission on December 14, 2004. In that draft, a portion of this property is proposed to be amended from low density residential to agricultural, estate residential. Agricultural/estate residential is a very low density classification that allows residential and/or limited animal and agricultural uses on properties 1/3 acre or more. This site has some beautiful vistas from 1300 West looking towards the east. The current plan is for low density or large lot single family development, which has been reinforced by the General Plan update. The applicant believes that the market in the area suggests that the corner should be multi-family town home condominiums and then transition up to the north with some large lot single family homes. The corner piece is not now a part of the applicant's development pattern but is part of the General Plan amendment update. The whole corner goes from low density to high density if this were approved tonight. The corner would be wrapped by a series of town home structures served by a road system. The road system could potentially stub to the north but they are actually proposing that this be a hammerhead development for emergency services turn around. [19:37:38](#) There are problems with providing services and Staff, along with the Planning Commission and General Plan Steering Committee members, wants to have the low density as proposed under the General Plan. **Staff recommends denial of this proposal to maintain consistency with the General Plan update.**

7.2 **APPLICANT ADDRESS:** **Jack Lucas** [19:41:44](#) **Mr. Lucas** gave a slide presentation depicting his intention to make this a high quality property development. He felt that estate type homes would not sell on that corner and emphasized the importance of developing this project at a higher density, with high quality construction and unique design elements. His proposal was for 12 units per acre, which is high density in the present General

Plan but would be medium density in the updated version when approved. He added that the owner of the corner piece at Winchester and 1300 West would probably be interested in adding that to this project, dependent upon the vote tonight by the Commission. [19:48:43](#)

7.3 **SPEAKING:**

7.3.1 **Scott Hansen**. [19:50:12](#) **Mr. Hansen** advised that his mother owns the property directly west of this site and he was speaking in her behalf. They felt the street cannot handle the amount of traffic this will generate. At present, there are horses on the property and they would like it left that way. They are opposed to high density in this area

7.3.2 **Clinton Michaelson** (Lives directly across the street). [19:52:25](#) Mr. Michaelson had no objection to building multiple units but felt that something must be done to better accommodate the increase in traffic. Of special concern is the fact that large trucks cannot safely negotiate the turns there. He said If developers would consider that, it would be an excellent time to take that into account and have the engineers move the corner about 10' to the north on 1300 West to add width there to allow an easier turning radius.

7.3.3 **John Vandertooler**. [19:54:46](#) **Mr. Vandertooler** lives right next to the proposed development and was surprised to learn about the road being proposed at the bottom of his property. Commissioner Calacino advised that the road was only a conceptual idea and is not part of any plan yet. [19:56:29](#)

7.3.4 **Randal Anderson**. [19:56:45](#) **Mr. Anderson** lives directly east of the property. He complimented the City on the proposed long range plan and asked that it not be changed to accommodate this project.

7.3.5 **Chet Nichols**. [19:57:18](#) **Mr. Nichols** advised his family has lived in this immediate area for years. He did not feel estate type homes would sell in this particular area and was not opposed to the higher density use there. He did not feel that many units would impact the traffic situation. He suggested constructing the town homes to look more like single family homes. [20:01:19](#)

7.4 **CLOSURE OF PUBLIC HEARING AND DISCUSSION OR A MOTION.**

7.5 [20:01:56](#) **Commissioner Overson** expressed her opinion as being that this issue does not maintain consistency with the General Plan submitted to the City Council. [20:02:48](#) **Commissioner Newton** said her biggest concern is the traffic and she was worried about the increase in the amount of cars. [20:03:13](#) **Commissioner Jensen** was also concerned about the traffic and felt that was the main reason for keeping the lower density at this location along with preserving the character of the neighborhood. He was supportive of the comments included in the General Plan submitted to the City Council. [20:04:05](#) **Commissioner Smith** felt it would be a mistake to allow high density housing on this site. [20:04:26](#) **Commissioner Barbour's** concern was also with the traffic and felt this development was unwise at this location. [20:05:09](#) **Commissioner Rushton-Carlson** was not in favor of this development mainly because of the anticipated problems in resolving the utility services for this site. [20:05:30](#) **Commissioner Calacino** felt this development would set a bad precedence and did not want to change the General Plan without a very good reason.

7.6 **MOTION:** [20:07:13](#) **Commissioner Overson** - I recommend, based on the Planning Commission's decision in December 2004 for the General Plan, that we deny the General Plan map amendment, Application 3G05 and forward a recommendation to the City Council so stating.

SECOND: **Commissioner Rushton-Carlson**

Commissioner Calacino - [20:07:55](#) The motion and second is to make a recommendation to deny the request based on Staff's findings and the Planning Commission's most recent recommendation to update the General Plan.

VOTE: **Commissioner Barbour** – AYE

Commissioner Newton – AYE

Commissioner Smith – AYE

Motion passes unanimously

Commissioner Jensen – AYE

Commissioner Overson – AYE

Commissioner Rushton-Carlson – AYE

CONDITIONAL USE PERMITS

8. 4C05 **David Ahokovi, 5028 S. Valois Drive (2250 W.)** - Animal Hobby Permit.

8.1 [20:08:24](#) **Mr. Maloy** oriented on the site plan, aerial map and images. The applicant is requesting approval to license a total of three adult dogs at a single-family residence located on an 11,530 square foot lot in an R-1-8 single family residential zone. The applicant's request is in response to a recent complaint regarding the dogs and a history of multiple complaints regarding animals on this property having been filed in the past. (Specifics on the complaints are available upon request).

Findings of Fact:

Staff recommends denial based on the following findings of fact: (1) Property records obtained from Salt Lake County Animal Control document multiple animal related complaints and violations; (2) Based on property history, Salt Lake County Animal Services recommended denial of this application.

8.2 **APPLICANT ADDRESS:** **David Ahokovi.** [20:11:59](#) **Mr. Ahokovi** advised that his sister, who is the owner of the third dog, would be moving out at the end of the month. **Mr. Maloy** advised Mr. Ahokovi if that was the case, there was no need to move forward with this application for an extra animal. [20:13:37](#) **Commissioner Jensen** commented that the ordinance provides that guest animals are allowed for 30 days. **Mr. Ahokovi** asked that his application be withdrawn at this point. **Commissioner Overson** asked Mr. Ahokovi if his two dogs were licensed, to which he replied that they were. **Commissioner Calacino** accepted Mr. Ahokovi's withdrawal of this application before the Planning Commission but advised him that he would still have to finish up with Animal Services on the issue. [20:15:20](#) **Commissioner Barbour** suggested that those wishing to speak to this application tonight still be allowed to do so. **Commissioner Calacino** opened the floor to those who still wished to speak.

8.3 **SPEAKING:**

8.3.1 **Ande Anderson Lewis** [20:16:07](#) was very concerned about this being approved and was in favor of denial. She felt the additional dog was a hazard for the children who pass by the home to and from school and also increased the noise level, particularly at night.

8.3.2 **John Lowe** [20:17:44](#) was concerned with the issuance of Animal Hobby permits in general, especially about keeping the area cleaned up where the dogs are located. **Commissioner Barbour** advised him that as a citizen he could make a complaint to the City about any such issue and would receive appropriate response. [20:18:38](#)

8.4 **CLOSURE OF PUBLIC HEARING AND DISCUSSION OR A MOTION.** **Commissioner Calacino** advised that inasmuch as the applicant officially withdrew his application, no motion was required by the Planning Commission. [20:19:53](#)

9. 6C05 **David Peterson (Standard Oil Company), 5595 S. Redwood Road** - Auto Service Station (Preliminary). (Michael Maloy, City Planner)

[20:20:29](#)

9.1 **Mr. Maloy** oriented on the site plan, aerial map and images. The applicant has requested approval to construct a new Standard Oil gas station with eight pumps and fueling canopy, a 2,765 square foot convenience store and a detached 1,204 square foot automatic car wash. If approved, the existing Chevron service station and car wash will be demolished to facilitate redevelopment of the corner parcel. Mike gave suggestions to the applicant on how to improve the elevations. [20:24:35](#)

Findings of Facts:

A. Proposed land use is consistent with the Taylorsville General Plan and may be permitted within the C-2 Commercial Zone with Planning Commission approval.

B. Preliminary development plans are compatible with adjacent redevelopment activities and objectives (subject to technical review and final approval).

Staff finds that the preliminary site plan complies with the intent of the City's General Plan, the C-2 commercial zone and the redevelopment objectives of the pending "Redwood Road Beautification Master Plan" and recommends preliminary approval with the following conditions:

General Conditions:

9.1.1 Receive approval from and remain complaint with all applicable agencies and departments of the City such as the City Engineer, the Unified Fire Authority, Taylorsville-Bennion Improvement District and UDOT among others.

9.1.2 Planning Staff shall review the final conditional use permit application. Any unresolved issues between Staff and the applicant may be determined by the Commission in a public meeting.

9.1.3 Development shall comply with the impending Redwood Road Beautification Master Plan including requirements for access, landscaping, lighting, bus shelter placement, bus turnout and signage among other design criteria.

Site Plan Elements:

9.1.4 Applicant shall submit for City approval a final landscape plan. Landscape plan shall contain plant species, quantities and sizes. Applicant shall select a mixture of plants and trees to create variety and seasonal colors within plant beds. Additionally, the final landscape plan shall:

- Comply with all requirements of the C-2 Zone and the Redwood Road Beautification Master Plan
- Include plantings for screening along the east façade of the convenience store.
- To reduce the negative impact of the continuous hard scape from the fueling and parking area to the convenience store, provide plant beds or plant containers along the west façade of the convenience store.
- Contain construction details for irrigation system. Applicant is encouraged to design a system that controls and conserves the use of water.
- Provide screening for all ground based and wall mounted utilities.
- Provide landscape buffer of dumpster enclosure.
- Trees shall have a minimum caliper size of 2 inches.

9.1.5 Pedestrian intersections with driveways and aisles shall be compatible with ANSI standards for ramp construction.

9.1.6 Building apron (or sidewalk) along the west side of the building must maintain a minimum width of 6 feet. Some portions are reduced to 4 feet; parked vehicles adjacent to the walkway will likely overhang into the walkway and restrict pedestrian access.

9.1.7 Applicant shall submit for final approval a site lighting plan. Lighting plan shall include cut sheet specifications on all exterior lighting elements and accommodate pedestrian elements as well as vehicle parking. Cement light bases should be minimally exposed when located within landscaped areas. Lighting fixtures shall compliment site design and building architecture.

9.1.8 Trash dumpster shall be constructed of materials compatible with building architecture and use an opaque swinging gate (i.e., not chain-link fencing with slats). Submit for final Staff approval construction detail of dumpster gate.

9.1.9 Submit specifications on site furnishings plan. Out door furniture (i.e., benches, waste receptacles, bike racks, etc.) shall be compatible in design with building architecture. Provide location details on site plan and/or landscape plan locations for all outdoor furnishings.

9.1.10 Applicant shall provide adequate area for future bus shelter to be constructed by the City. Proposed area for future bus shelter on site plan appears to be insufficient.

9.1.11 Show locations of vent pipes for underground storage tank. Vent pipes shall be placed in an unobtrusive location on the site and screened from primary views.

Building Architecture

9.1.12 Preliminary color and material palette are subject to Planning Commission approval. Variations from this approval shall require a CUP amendment from the City prior to installation.

9.1.13 Building mounted lighting shall use downward cast lighting (i.e., no outward shining wall packs). The use of lighting that illuminates or accents building architecture is encouraged. Light fixture design shall accent building architecture. Applicant shall submit cut-sheet specifications for all exterior building mounted lighting.

9.2 **DISCUSSION:** **Commissioner Overson** commented that reference has been made to the Redwood Road Beautification Master Plan and asked about the lighting. She remembered a presentation where lighting was discussed and wondered if that applied to this application. [20:26:07](#) **Mr. Maloy** advised that street lighting being discussed with the Redwood Road master plan would be the public lighting. On this project, Staff anticipates there would be a light pole that would be complimentary with the architecture of the building. The idea is to control the lighting at the property line to eliminate glare into the street. The applicant has not submitted a detailed cut sheet of their lighting yet. **Commissioner Overson** [20:26:46](#) then asked about the outdoor furniture discussed in the Redwood Road project. She wondered if this would apply just if there is anything along the Redwood Road portion. [20:27:12](#) **Mr. Maloy** said that the applicant has been willing to show a bike rack on their site and Staff would like to work with them to assure it is attractive, durable and compatible with the architecture. **Commissioner Overson** [20:28:19](#) asked about business district signage which shows a monument sign on Redwood Road on 5600 South wondering placement of signs was being considered at this junction. Mr. Maloy advised that is included as an element of the site plan. [20:28:52](#) **Mr. Maloy** added that the applicant has been participating and attending the Redwood Road meetings. Right now the master plan is showing a monument feature that would advertise the shopping district and the City as a whole on this particular corner. **Commissioner Overson** [20:29:31](#) asked how this correlates with the back of Wal-Mart's store as it relates to ingress/egress for the tire store. [20:30:09](#) **Mr. Maloy** advised that approach to Wal-Mart's will be a shared cross access with this applicant.

9.2 **APPLICANT ADDRESS:**

9.2.1 **David Peterson** [20:30:57](#) (developer), said there will be parking available for their store just south of Wal-Mart. Wal-Mart will install a median along there to prevent traffic making a left hand turn. Traffic will be channeled to the new combined entrance for Wal-Mart. [20:32:08](#) **Commissioner Overson** advised him that she just wanted to be sure that traffic could not drive straight to the Wal-Mart tire store. **Mr. Peterson** assured her that was the case. Also that he has been working with the City on the Redwood Road beautification project and wanted to upgrade every element of their store, including landscaping. They intend to add more vertical landscaping than is presently being required.

9.2.2 **Mike Peterson** (owner). [20:33:47](#) advised that the time line for completion is as soon as it can be done because the present store is 25 years old. They have granted Wal-Mart a no build easement and are trying to incorporate local architectural requirements by adding a lot more rock and making their structure compatible with the new Wal-Mart facility.. Instead of being a blank wall, there will be two columns. Reference the landscaping, [20:35:33](#) the bus curve will take out some of the proposed landscaping along Redwood Road, however, with the access being moved off this site, it will enable more landscaping to be provided on the site itself. He felt the Commission and the City will be pleased with their finished product.

- **Commissioner Barbour** asked the applicants to provide City Staff with a copy of the overall landscape plan, to which they agreed. [20:37:11](#) **Mr. Peterson** advised that in accordance with their contract with Wal-Mart, this reconstruction must be completed by the end of 2005 and that they not be out of the gasoline business for more than 120 days [20:37:38](#). He added that it will be a very nice looking store and turns at all entrances will be right in and right out only
- **Commissioner Jensen** [20:39:50](#) asked where the sidewalk would be located along 5600 South and if there was a proposal to locate it further back due to the amount of heavy truck traffic going down the street. Mr. Peterson was unsure of where the sidewalk would be located. **Mr. Maloy** advised that it was part of the Redwood Road master plan to create park strips wherever possible. **Mr. Peterson** said that the sidewalk runs into the end of the property and from there over is the entrance. **Commissioner Calacino** suggested that they look at where their property line exists and if the sidewalk were moved to the north, it could be encroaching and may require a natural easement with the City. [20:41:01](#) **Mr. Peterson** explained that they have moved the building as far as possible to the south so it opens everything up. There is also 10' of landscaping on the back side.
- **Commissioner Calacino** said he had no images of the canopy and posts supporting the canopy and was hoping that the same rock veneer feature will be surrounding the posts holding the canopy and the canopy

will be similar to what has been presented. [20:41:35](#) He also recommended that the lighting be recessed and not attached to the soffit. **Mr. Peterson** had no problems with either suggestion and said that if the Commission prefers it, the rock will be all the way to the top of the posts. [20:42:25](#).

9.3 **SPEAKING:** None.

9.4 **CLOSURE OF PUBLIC HEARING AND DISCUSSION OR A MOTION.** [20:43:20](#) **Commissioner Jensen** asked if a landscaping plan would be coming back for review by the Commission and **Commissioner Calacino** advised that would only happen if the Planning Commission wants to do the final review of this project. [20:44:21](#)

9.6 **MOTION:** [20:44:33](#). **Commissioner Barbour** - I move that we approve File #6C05 with Staff's recommendations, with Staff to review the landscape plan, that the posts be rocked all the way to the top and the lights be recessed.

SECOND: **Commissioner Newton**

Commissioner Calacino - We have a motion to approve the Conditional Use Application for remodeling of the entire convenience store/car wash, based on Staff's findings and recommendations, with added conditions. **Commissioner Barbour** - [20:45:53](#) The added conditions are: the landscaping plan be reviewed and approved by Staff, the canopy posts be rocked all the way to the top, inclusion of recessed lighting and park strips be included on the plan along 5600 South.

VOTE: **Commissioner Barbour** – AYE

Commissioner Newton – AYE

Commissioner Smith – AYE

Motion passes unanimously

Commissioner Jensen – AYE

Commissioner Overson – AYE

Commissioner Rushton-Carlson – AYE

SUBDIVISION

10. 4S05 **Tim Kehl, Kehl Homes (Developer), 5072 – 5114 S. 2200 W.** – 15-Lot Residential Subdivision (Preliminary). (Michael Maloy, City Planner)

[20:46:53](#)

10-1 **Mr. Maloy** oriented on the site plan, aerial map and images. The applicant has submitted an application to subdivide two existing residential parcels into 15 new buildable lots. The subdivision will be served by extending Whitaker Way (2275 West) into two new proposed public roads named Smith Heritage Way (6020 S.) and autumn Wood Park (2320 W.). Autumn Wood Park will be a "stub" street which will connect with future anticipated development of vacant property located to the south of this property.

10-2 **Findings of Facts:**

A. Proposed development complies with the current Taylorsville General Plan Map.

B. Proposed lot areas comply with minimum area requirements of the A-1 zone.

C. Preliminary subdivision plat reasonable demonstrates the viability of subdividing the subject property in a manner that would be compliant with development requirements of the City.

10.3 **Based on the findings of facts, Staff recommends preliminary approval of Smith Heritage Estates with the following conditions:**

10.3.1 Application must receive approval from all applicable reviewing agencies of the City (i.e., City Engineer, Unified Fire Authority, Taylorsville-Bennion Improvement District, etc., prior to recordation.

10.3.2 Under the authority of the Planning Commission, Staff shall administrate final review of the subdivision plat.

10.3.3 Applicant shall state addresses for each parcel included in the plat.

10.3.4 If approved by the City Engineer and the Salt Lake County Assessor's Office, the proposed street name of Autumn Wood Park shall be renamed Autumn Park Lane (for future connection).

10.3.5 Applicant shall contact the Salt Lake County Recorder's Office and verify record ability of subdivision plat (including proposed subdivision name) prior to final submission of subdivision plat to be recorded.

10.3.6 Applicant shall pay all required fees prior to final approval of the subdivision plat including impact fees and recordation fee.

10.3.7 Applicant shall include on final plat all parcels affected by subdivision plat including the existing Hyrum Smith home located at 5114 S. 2200 W. and parcel Number 21-09-427-013, which is owned by John Smith. Also, dedication of 2200 West frontage for public right-of-way may be required by the City Engineer.

10.3.8 Developer shall be responsible for the installation of all public improvements including the planting of 2 inch caliper (minimum) park strip trees. Park strip tree species shall be approved by Staff (Trees shall be planted on 25 foot centers. Spacing may be adjusted due to species selection or conflicts with public improvements such as meters, hydrants, street lights, or drive approaches but may not be reduced in number.

10.3.9 Street lights shall be located in an alternating pattern along both sides of proposed streets.

10.4 **APPLICANT ADDRESS:** Tim Kehl. Mr. Kehl felt like this development would be an asset to the community. That they had worked well with Staff to resolve the issues, however, had a question on Recommendation #7, specifically regarding the dedication of the right-of-way on 2200 West, indicating that they would be willing to work out the specifics with City Staff. [20:49:43](#)

10.5 **SPEAKING:**

10.5.1 Neil Hathaway [20:50:21](#), Mr. Hathaway lives in the old part of the subdivision and brought to light a drainage problem that presently exists there, where the water drains east on Whitaker Drive and pools up in a pond for ducks. He suggested a storm drain system be made a condition for approval. He also had concerns about the proposed stub street. Commissioner Calacino informed him that there are some engineering issues on this site which will have to be addressed by City Staff. [20:52:06](#)

10.5.2 Joe Pearson, (Lives on Whitaker Drive). Mr. Pearson had concerns with access into the subdivision and was worried about the increase in traffic and felt there should be an access off 2200 West. [20:52:35](#). He also wanted stipulations in place as to the types of homes that could be built in there.

10.5.3 Ron Kraus, (Lives on Whitaker Drive). Mr. Kraus wanted to know how large the homes were going to be and was concerned about losing his view. [20:54:49](#).

10.6 **DISCUSSION:** Commissioner Calacino commented that the storm drain and access issues must be addressed. [20:55:21](#) Mr. Maloy advised that the City has a standard that the applicant must design a storm drain plan to accommodate the water at a release rate of .02 cubic feet per acre. Regarding access, an easement is anticipated all the way out to 2200 West. [20:58:05](#) Mr. Kehl commented on the home sizes, saying they would be nice homes, probably ramblers with double car garages included. Mr. Maloy advised that there are no restrictions on two story homes being allowed and Commissioner Rushton-Carlson added that there are at least two lots in this proposed subdivision that could not accommodate a Rambler. [20:57:00](#) Commissioner Calacino explained the stub street issue saying that even though there is not a through street proposed now, it may happen in the future, so that event must be part of this process now.

10.7 **CLOSURE OF PUBLIC HEARING AND DISCUSSION OR A MOTION.** Commissioner Calacino [21:00:25](#) commented that the main existing pieces of property need to be included in the lots for the subdivision. Mr. Maloy said that was correct and was addressed in Staff Recommendation #7. Staff will work with the developers to include the original parcels and bring this back to the Planning Commission.

10.8 **MOTION:** [21:01:32](#) Commissioner Rushton-Carlson - I would move that we give preliminary approval for the 15 lot subdivision and expand that to include all the property that is there to be included as part of that parcel and subdivide it all, subject to Staff recommendations on File 4S05.

SECOND: Commissioner Overson

VOTE:

[Commissioner Barbour – AYE](#)
[Commissioner Newton – AYE](#)
[Commissioner Smith – AYE](#)
[Motion passes unanimously](#)

[Commissioner Jensen – AYE](#)
[Commissioner Overson – AYE](#)
[Commissioner Rushton-Carlson – AYE](#)

PLANNING COMMISSION BUSINESS

11. Commissioners each gave brief comments on the final draft submitted by Staff and presented by Amber Westenskow and gave her instructions on minor changes they wanted incorporated before the document is forwarded to the City Council for approval. [21:04:19](#)

MOTION: [Commissioner Barbour – I move for approval of the final draft of the Planning Commission Policies and Procedures, with minor corrections made known to Ms. Westenskow for inclusion. 21:06:06](#)

SECOND: [Commissioner Newton](#)

VOTE:

[Commissioner Barbour – AYE](#)
[Commissioner Newton – AYE](#)
[Commissioner Smith – AYE](#)
[Motion passes unanimously](#)

[Commissioner Jensen – AYE](#)
[Commissioner Overson – AYE](#)
[Commissioner Rushton-Carlson – AYE](#)

ORDINANCES

12. **Discussion of Jordan River Corridor.**

Mr. McGrath advised that Commissioner Jensen prepared an in depth proposal reference the Jordan River Parkway Easement, and each Commissioner was given a copy for review in their packets. **Commissioner Jensen** gave a brief oral overview of his proposal during this meeting, stressing the need to preserve the natural habitat along the river bank as a separate issue from flood control and to establish a no build zone along the river of a specific width yet to be determined. Commissioners suggested an overlay be made for that area. **Commissioner Calacino** asked Commissioners to review Commissioner Jensen's input and offer comments and direction to Staff so that they may bring this back for review during the Work Session in April 2005.

CITIZEN COMMENT: **Commissioner Calacino** opened the meeting for citizen comment regarding Item #2 on the Consent Agenda because they were not present when the applicant was heard. The following individuals wished to speak on the application filed by Miriam Van Osrand, 5250 South Huntington Road for a child day care home occupation:

- **John Lowe** (Lives on Huntington Road). **Mr. Lowe** advised that traffic is an issue and that she is already in business. [21:07:15](#) He did not feel the unkempt yard was a good environment for the children. **Mr. Maloy** advised Mr. Lowe that the State of Utah does annual, as well as surprise inspections, and in order to pass those inspections, the property must be in compliance.
- **Harvey Wamsley** advised that all people involved in this enterprise are related and he too had the same concern about the lack of proper maintenance for the site and safety issues for the children.

DISCUSSION: Commissioners asked that Staff investigate these allegations and report findings back to the Commission for possible action. [21:15:23](#)

CITY COUNCIL MEETING REVIEW:

Commissioner Overson gave an overview of what transpired during the last City Council meeting wherein they supported the Planning Commission regarding their denial of the car wash on 3200 West at 6200 South.

ADJOURNMENT: By motion of Commissioner Overson, the meeting was adjourned at 10:00 p.m. [22:01:04](#).

Respectfully submitted by:

Jean Gallegos, Secretary/Recorder
Planning Commission

Approved in meeting held April 12, 2005.